

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

---

UNITED STATES OF AMERICA,

v.

FRANK BRIMAGE, JR.

Defendant.

---

)  
)  
)  
) CRIMINAL NO. 95-10046-PBS  
)  
)  
)  
)

**MEMORANDUM AND ORDER**

October 3, 2007

Saris, U.S.D.J.

The Court **DENIES** the letter motion to review 18 U.S.C. §924(e) enhancement. Under 28 U.S.C. §2244(b)(3), if the letter is treated as a habeas petition, it is a second or successive habeas petition which must first be approved by the Court of Appeals before the District Court can consider it. There have been two previous habeas petitions.

/s/ Patti B. Saris  
PATTI B. SARIS  
United States District Judge